1952 K File No. Children II | 52 (R)

Legal Dept.

B. BRANCH

P.I.(E) 1952

Subject:— Rules under the Bombay Children Act 1948

Children II | 52 (R)

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Legal Department.

The proposal is to make suitable provisions in the Bombay Children Rules, 1950, for the recognition of and payment of grant-in-aid to remand homes, certified schools and fit person institutions. Clauses (d) and (e) of sub-section (2) of section 109 enable Government to make the necessary rules in respect of certified schools and fit person institutions. Although there is no specific provision in sub-section (2) of section 109 for making rules in respect of remand homes, there appears no legal objection to making such rules in respect of remand homes also, having recourse to the general rule making powers conferred by sub-section (1) of section 109. Under section 105, whenever a child is to be committed to a certified school or a fit person institution the autority concerned has discretion to order such child to be sent to a remand home.

2. It is necessary that the same high standard should be made in the remand homes and for that purpose Government may insist that for recognising any institution as a remand one the institution must observe certain conditions laid down by Government. Similarly when Government gives any grant-in-aid to any remand home, certified school or fit person institution, Government may lay down the conditions subject to which such grants are given. All these matters can be provided in the rules. Accordingly in place of the E.D. draft, revised draft notification is sent herewith. Where the Act contains any provisions such provisions have not been reproduced in the revised draft.

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M/s. B.R.